

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM LUCIANO LLANOS-CORTES,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:24-177
)	Judge Nora Barry Fischer
F.C.I. LORETTO WARDEN,)	Magistrate Judge Keith Pesto
)	
Respondent.)	

MEMORANDUM ORDER

AND NOW, this 4th day of April, 2025, upon consideration of the § 2241 habeas petition filed by Petitioner William Luciano Llanos-Cortes against F.C.I. Loretto Warden on July 31, 2024, (Docket No. 1), the Response in opposition filed by said Respondent on January 13, 2025, (Docket No. 7), and the Report and Recommendation filed by United States Magistrate Judge Keith A. Pesto on March 7, 2025, (Docket No. 8), recommending that the § 2241 habeas petition filed by Petitioner be dismissed, without prejudice, as the Court lacks jurisdiction as there is no case or controversy between the parties and alternatively, for failure to exhaust administrative remedies, and directed that any objections be filed within 14 days, Petitioner's Objections which were timely filed on March 21, 2025, (Docket No. 10), and this matter having been recently reassigned to the undersigned for prompt disposition of the matter, (Docket No. 11), and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation,

IT IS HEREBY ORDERED that Petitioner's Objections (Docket No. 10) are OVERRULED as dismissal of this action, without prejudice, for failure to exhaust administrative remedies, is consistent with rulings made in this District, *see e.g., Saavedra-Ramirez v. Peters*, No. 3:23-CV-268-KAP, 2024 WL 2136679, at *2 (W.D. Pa. Mar. 12, 2024), *report and*

recommendation adopted, No. CV 3:23-268, 2024 WL 1550379 (W.D. Pa. Apr. 10, 2024), *appeal dismissed sub nom. Saavedra-Ramirez v. Dir. Fed. Bureau of Prisons*, No. 24-1738, 2024 WL 4677955 (3d Cir. July 18, 2024) (District Court upholding dismissal for failure to exhaust when the habeas petition was filed prior to the exhaustion of administrative remedies and appeal dismissed);

IT IS FURTHER ORDERED that the Report and Recommendation (Docket No. 8) is ADOPTED as the opinion of this Court to the extent that the Magistrate Judge recommends dismissal for failure to exhaust administrative remedies;

IT IS FURTHER ORDERED that the Petition (Docket No. 1) is DENIED, without prejudice, for failure to exhaust administrative remedies; and,

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED.

s/Nora Barry Fischer
Nora Barry Fischer
Senior U.S. District Judge

Dated: April 4, 2025

cc/ecf: Magistrate Judge Keith A. Pesto

cc: WILLIAM LUCIANO LLANOS-CORTES
BOP # 02507-506
F.C.I. Loretto
P.O. Box 1000
Cresson, PA 16630 (via first class mail)